

ORDINANCE NO. 462

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING CHAPTER 8.14 MOTORIZED WATERCRAFT; CLARIFYING THE SCOPE OF EXEMPTIONS FOR MOTORIZED WATERCRAFT DIRECTLY ENGAGED IN MAINTENANCE, CONSTRUCTION, MITIGATION AND/OR RESTORATION WORK ON LAKES AND PONDS WITHIN THE CITY OF WOODINVILLE; ADOPTING FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has adopted regulations in Chapter 8.14 WMC governing the operation of motorized watercraft on lakes and ponds within the City of Woodinville; and

WHEREAS, WMC 8.14.030 contains an enumerated list of exemptions to the prohibitions set forth in Chapter 8.14 WMC but does not contain an exemption for permitted work by private contractors, allowing them to use motorized watercraft in the performance of their work; and

WHEREAS, the City desires to amend WMC 8.14.030 for the purpose of clarifying that motorized watercraft may be used on lakes and bodies within the Woodinville City limits after approval by the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council adopts the above recitals as findings in support of the regulations imposed under this ordinance and further makes the following additional findings:

- A. The findings enumerated in Section 1 of Ordinance No. 462 are hereby adopted and incorporated by this reference as if set forth in full.
- B. The regulations contained in this ordinance will more accurately effectuate the City Council's original legislative intent in adopting Chapter 8.14 WMC, specifically including the scope of the exemption motorized watercraft under WMC 8.14.030(c).
- C. The regulations contained in this ordinance are a lawful and appropriate exercise of the City's police power and will serve the public health, safety and welfare.

Section 2. Amendment of WMC 8.14.030. Subsection (c) of the Woodinville Municipal Code is hereby amended to provide in its entirety as follows:

8.14.030 Exceptions.

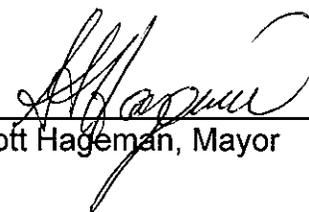
The prohibitions set forth in this chapter shall not apply to the following:

“c. The operation of motorized watercraft necessary to perform in water work, including but not limited to maintenance, construction, mitigation and/or restoration work. Such exemption shall be requested in writing and approved by the City prior to commencing any activities.”

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

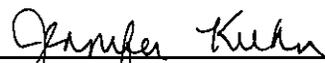
Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force thirty (30) days after final passage.

ADOPTED BY THE CITY COUNCIL AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 20th DAY OF MAY 2008.



Scott Hageman, Mayor

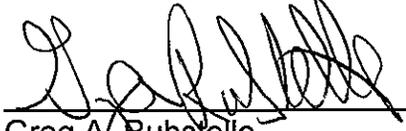
ATTEST/AUTHENTICATED:



Jennifer Kuhn
City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



Greg A. Rubstello
City Attorney

PASSED BY THE CITY COUNCIL: 5-20-2008
PUBLISHED: 5-26-2008
EFFECTIVE DATE: 7-9-2008
ORDINANCE NO.: 462